



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------|------------------|
| 10/646,086 | 08/22/2003 | Taku Kodama | 6453P006 | 9599 |
| 8791 | 7590 | 06/25/2008 | | |
| BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040 | | | EXAMINER | |
| | | | BONNER, JR., JAMES A | |
| | | ART UNIT | PAPER NUMBER | |
| | | 2625 | | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 06/25/2008 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/646,086 | KODAMA ET AL. | |
| | Examiner | Art Unit | |
| | JAMES A. BONNER, JR. | 2625 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 August 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,5,6,8-12,14,15,17-21,23,24,26 and 27 is/are rejected.
- 7) Claim(s) 4,7,13,16,22 and 25 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 13 January 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 5,6 8-12, 14,15, 17-21, 23,24, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rabbani US Patent 6,885,395 in view of Davy US Patent 5,040,233

2. As per claim1, Rabbani teaches an image-processing apparatus that stores encoded data of an image as a file in a memory medium in the image-processing apparatus, or externally, comprising: par a unit to adjust file size of the image data (*Rabbani column 2 line 4*) based on a memory domain management unit of the memory medium (*Rabbani column 2 line 6-7*)

3. Rabbani does not teach such that the file size becomes near, but does not exceed an integer multiple of the memory domain management unit of the memory medium. Davy teaches such that the file size becomes near, but does not exceed an integer multiple of the memory domain management unit of the memory medium (*Davy column 5 line 9-16 system will not allow files to be larger than what the memory will allow*) *Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Davy with Rabbani since Rabbani teaches an image device having a memory with a certain capacity, but does not set criteria of how large file size should be with respect to the memory. Rabbani would have been motivated to incorporate the teachings of Davy. If the data, to serve as an input to the memory, if it is too big, truncate the data until it is a suitable size for the memory.*
4. As per claim 2, Rabbani, in view of Davy, teaches the image-processing apparatus as claimed in claim 1, wherein the unit for adjusting the file size processes the encoded data in a state of encoded codes as they are. (*Rabbani Fig. 2: 28 represents the encoded data. This data is then stored by 32 however; it is retrieved by the image processor unadulterated.*)
5. As per claim 3, Rabbani , in view of Davy, teaches the image-processing apparatus as claimed in claim 1, further comprising an image compression unit to carry out compression coding (*Rabbani Fig. 6: 606*) of the image

and for generating the encoded data. (*Rabbani Fig. 6: 615*)

6. As per claim 5, Rabbani, in view of Davy, teaches the image-processing apparatus as claimed in claim 1, wherein the encoded data consist of a plurality of layers, and each layer is restructured when the file size adjustment is carried out. (*Rabbani column 8 lines 20-24*)
7. As per claim 6, Rabbani teaches the encoded data consist of a plurality of layers, (*Rabbani column 8 line 22*) and when the file size adjustment is carried out, (*Rabbani column 2 line 4*)
8. *Rabbani does not teach* the file size of a lower ranking layer is adjusted to be near an integer multiple of the memory domain management unit, the lower ranking layer being ranked lower than a predetermined specific layer. Davy teaches the file size of a lower ranking layer is adjusted to be near an integer multiple of the memory domain management unit, the lower ranking layer being ranked lower than a predetermined specific layer (*Davy column 5 line 9-16 system will not allow files to be larger than what the memory will allow*) *Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Davy with Rabbani*

since Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Davy with Rabbani since Rabbani teaches an image device having a memory with a certain capacity, but does not set criteria of how large file size should be with respect to the memory. Rabbani would have been motivated to incorporate the teachings of Davy. If the data, to serve as an input to the memory, if it is too big, truncate the data until it is a suitable size for the memory.

9. As per claim 8, Rabbani, in view of Davy, teaches the image-processing apparatus as claimed in claim 1, wherein the encoded data are divided into a plurality of sets of encoded data on a layer basis, when the file size adjustment is carried out. (*Rabbani column 8 lines 20-24*)

10. As per claim 9, Rabbani, in view of Davy, teaches the image-processing apparatus as claimed in claim 1, wherein the memory domain management unit for the file size adjustment is set up as desired. (*Rabbani column 2 lines 20-24*)

11. As per claim 10, Rabbani teaches an image-processing method of storing encoded data of an image as a file in a memory medium, the method comprising: adjusting file size based on a memory domain management

unit of the memory medium (*Rabbani column 2 line 6-7*) such that the file size becomes near, but does not exceed an integer multiple of the memory domain management unit of the memory medium. (*Rabbani column 8 line 34-35*) *Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Davy with Rabbani since Rabbani teaches an image device having a memory with a certain capacity, but does not set criteria of how large file size should be with respect to the memory. Rabbani would have been motivated to incorporate the teachings of Davy. If the data, to serve as an input to the memory, if it is too big, truncate the data until it is a suitable size for the memory.*

12. As per claim 11, Rabbani, in view of Davy, teaches the image-processing method as claimed in claim 10, wherein the file size adjustment of the encoded data is performed by processing the encoded data in a state of encoded codes as they are. (*Rabbani Fig. 2: 28 represents the encoded data. This data is then stored by 32 however; it is retrieved by the image processor unadulterated.*)

13. As per claim 12, Rabbani, in view of Davy, teaches the image-processing method as claimed in claim 10, further comprising performing a

compression coding process (*Rabbani Fig. 6: 606*) to carry out the file size adjustment of the encoded data while generating the encoded data. (*Rabbani Fig. 6: 615*)

14. As per claim 14, Rabbani, in view of Davy, teaches the image-processing method as claimed in claim 10, wherein the encoded data consist of a plurality of layers, and each layer is restructured when the file size adjustment is carried out. (*Rabbani column 8 lines 20-24*)

15. As per claim 15, Rabbani teaches the image-processing method as claimed in claim 10, wherein the encoded data consist of a plurality of layers, (*Rabbani column 8 line 22*) and when the file size adjustment is carried out, (*Rabbani column 2 line 4*)

16. Rabbani does not teach the file size of a lower ranking layer is adjusted to be near an integer multiple of the memory domain management unit, the lower ranking layer being ranked lower than a predetermined specific layer. Raheli teaches the file size of a lower ranking layer is adjusted to be near an integer multiple of the memory domain management unit, the lower ranking layer being ranked lower than a predetermined specific layer (*Davy column 5 line 9-16 system will not allow files to be larger than what the memory will allow*) Thus it would have been obvious to one of ordinary

skill in the art at the time of the invention to modify Davy with Rabbani since Rabbani teaches an image device having a memory with a certain capacity, but does not set criteria of how large file size should be with respect to the memory. Rabbani would have been motivated to incorporate the teachings of Davy. If the data, to serve as an input to the memory, if it is too big, truncate the data until it is a suitable size for the memory.

17. As per claim 17. Rabbani, in view of Davy, teaches the image-processing method as claimed in claim 10, wherein the encoded data are divided into a plurality of sets of encoded data on a layer basis, when the file size adjustment is carried out. (*Rabbani column 8 lines 20-24*)

18. As per claim 18, Rabbani, in view of Davy, teaches the image-processing method as claimed in claim 10, wherein the memory domain management unit for the file size adjustment is set up as desired. (*Rabbani column 2 lines 4-7*)

19. As per claim 19, Rabbani, in view of Davy, teaches an article of manufacture having one or more recordable media storing instructions thereon which, when executed by a system, cause the system to encode data by: adjusting file size based on a memory domain management unit

of the memory medium (*Rabbani column 2 line 6-7*) such that the file size becomes near, but does not exceed an integer multiple of the memory domain management unit of the memory medium. (*Rabbani column 8 line 34-35*)

20. As per claim 20, Rabbani, in view of Davy, teaches the article of manufacture defined in claim 19, wherein the file size adjustment of the encoded data is performed by processing the encoded data in a state of encoded codes as they are. (*Rabbani Fig. 2: 28 represents the encoded data. This data is then stored by 32 however; it is retrieved by the image processor unadulterated.*)

21. As per claim 21, Rabbani, in view of Davy, teaches the system further encodes data by performing in a compression coding process (*Rabbani Fig. 6: 606*) to carry out the file size adjustment of the encoded data while generating the encoded data. (*Rabbani Fig. 6: 615*)

22. As per claim 23, Rabbani, in view of Davy, teaches the article of manufacture defined in claim 19, wherein the encoded data consist of a plurality of layers, and each layer is restructured when the file size adjustment is carried out. (*Rabbani column 8 lines 20-24*)

23. As per claim 24, Rabbani, in view of Davy, teaches the article of manufacture defined in claim 19, wherein the encoded data consist of a plurality of layers, (*Rabbani column 8 line 22*) and when the file size adjustment is carried out (*Rabbani column 2 line 4*)

24. As per claim 26, Rabbani, in view of Davy, teaches the article of manufacture defined in claim 19, wherein the encoded data are divided into a plurality of sets of encoded data on a layer basis, when the file size adjustment is carried out. (*Rabbani column 8 lines 20-24*)

25. As per claim 27, Rabbani teaches the article of manufacture defined in claim 19, wherein the memory domain management unit for the file size adjustment is set up as desired. (*Rabbani column 2 lines 4-7*)

26. *Rabbani does not teach* the file size of a lower ranking layer is adjusted to be near an integer multiple of the memory domain management unit, the lower ranking layer being ranked lower than a predetermined specific layer. Raheli teaches *the* file size of a lower ranking layer is adjusted to be near an integer multiple of the memory domain management unit, the

lower ranking layer being ranked lower than a predetermined specific layer (*Davy column 5 line 9-16 system will not allow files to be larger than what the memory will allow*) Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Davy with Rabbani since Rabbani teaches an image device having a memory with a certain capacity, but does not set criteria of how large file size should be with respect to the memory. Rabbani would have been motivated to incorporate the teachings of Davy. If the data, to serve as an input to the memory, if it is too big, truncate the data until it is a suitable size for the memory.

Allowable Subject Matter

27. Claims 4, 7, 13, 16 and 22 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES A. BONNER, JR. whose telephone number is (571) 270-5274. The examiner can normally be reached on Mon-Thurs. 7:30-6:00 PM; every Friday off.

29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on (571)272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

30. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James A Bonner
Examiner, Art Unit 2625

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625